

US EPA ARCHIVE DOCUMENT

SPECIAL CONSOLIDATED CHECKLIST
for the
Land Disposal Restrictions as of June 30, 1992

Note: 1) This consolidated checklist is intended for those States who have not yet adopted an LDR program. This checklist consolidates LDR rules from the first rule promulgated on November 7, 1986 through June 30, 1992, including the Third Third Scheduled wastes (i.e., from Revision Checklist 34 through Revision Checklist 106, 57 FR 28628, June 26, 1992). States wishing to adopt rules beyond June 30, 1992 should refer to the Special Consolidated Checklist for Phases I, II, III, and IV of the Land Disposal Restrictions, which consolidates all of the revision checklists after Revision Checklist 106. An alternative would be to refer to the individual revision checklists affecting the LDR program.

2) This checklist consolidates the changes to Federal code addressed by the following Land Disposal Restrictions (LDR) checklists:

- Revision Checklist 34 [51 FR 40572 (November 7, 1986), 52 FR 21010 (June 4, 1987)];
- Revision Checklist 39 [52 FR 25760 (July 8, 1987), 52 FR 41295 (October 27, 1987)];
- Revision Checklist 50 [53 FR 31138 (August 17, 1988), 54 FR 8264 (February 27, 1989)];
- Revision Checklist 62 [54 FR 18836 (May 2, 1989)];
- Revision Checklist 63 [54 FR 26594 (June 23, 1989)];
- Revision Checklist 66 [54 FR 36967 (September 6, 1989), 55 FR 23935 (June 13, 1990)];
- Revision Checklist 78 [55 FR 22520 (June 1, 1990)];
- Revision Checklist 83 [56 FR 3864 (January 31, 1991)];
- Revision Checklist 95 [56 FR 41164 (August 19, 1991)];
- Revision Checklist 102 [57 FR 8086 (March 6, 1992)];
- Revision Checklist 103 [57 FR 20766 (May 15, 1992)]; and
- Revision Checklist 106 [57 FR 28628 (June 26, 1992)].

The LDR "Checklist Reference" column indicates which of these checklists have affected each listed citation. Subsequent to promulgation of the first LDR rule (i.e., the rule addressed by Revision Checklist 34), checklists other than the LDR checklists have also affected certain sections of code addressed by the LDR checklists. The effects of these subsequent checklists are indicated in footnotes. Of special note are 270.42(o)&(p) and 270.72(e). In both cases, subsequent checklists either removed or redesignated these sections of code. The section numbering found in the associated LDR final rule for these paragraphs is used, rather than the new numbering found in the subsequent checklists.

An exception to the footnoting procedure is the effect which the Toxicity Characteristics Rule had on the TCLP procedure. Because the TCLP procedure is integral to the LDR requirements (see Note 6 below), this change made by Revision Checklist 74, a non-LDR checklist, is noted in the LDR checklist reference column. An explanatory footnote is also included.

3) The following Part 268 sections are not delegable to States because of the national concerns which must be examined when decisions are made relative to them: 268.5 (case-by-case effective date extensions) and 268.42(b) (application for alternate treatment method). "No migration" petitions under 268.6 will be handled by

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

EPA, even though States may be authorized to grant such petitions in the future. States have the authority to grant such petitions under RCRA Section 3006 because such decisions do not require a national perspective, as is the case for decisions under 268.5 or 268.42(b). However, EPA has had few opportunities to implement the land disposal restrictions and expects to gain valuable experience and information from reviewing "no-migration" petitions.

The provisions at 40 CFR 268.44(a)-(g) address general treatment standard variances. The authority for such variances is not delegable because these variances could result in nationally applicable standards for a new waste treatability group. The provisions at 40 CFR 268.44(h)-(m), on the other hand, address site-specific variances. In the HWIR-Media Proposal (61 FR 18828, April 29, 1996), EPA clarified that the authority to review and approve this second type of treatment variance can be delegated to States. Because there has been some confusion over how to handle the delegability issue in State regulations, some States may already have been inadvertently authorized for 268.44 site-specific treatment variances. EPA is requesting that States note in their HWIR-media program revision application, other authorization applications, or in official correspondence whether they believe they have been authorized for site-specific treatment variances. EPA will evaluate that aspect of a State's submittal to confirm the State's authorization. For further information see 61 FR 18828 (April 29, 1996) and 62 FR 64506 (December 5, 1997).

4) In the past, the nondelegable sections/paragraphs of the LDR regulations have been omitted from the LDR checklists because States could not assume the authority for them. However, this procedure has led to confusion among the States on how to handle the sections/paragraphs in their code. For this reason, the Agency has decided to include these nondelegable sections on the LDR checklists. To differentiate these sections from the delegable portions of the LDR restrictions, asterisks precede (a single row) and follow (a double row) each nondelegable section. If States have already filled out a version of this Consolidated Land Disposal Restrictions Checklist which does not include the nondelegable sections, they need not fill out a revised version containing these sections. This change in format was made only to improve clarity.

The Agency suggests that States incorporate the nondelegable portions of the LDR regulations into their regulations because this incorporation aids the regulated community in knowing that the extensions, exemptions and variances addressed by the nondelegable sections of code are available to them. It is essential, however, that States leave the terms "Administrator", "Federal Register" and "Agency" unchanged, i.e., States may not substitute analogous State terms for these Federal terms. Similarly, States incorporating by reference must be careful to exclude these sections from blanket substitutions of State terms for Federal terms. For a more complete discussion of issues surrounding nondelegable sections, see Appendix J of the State Authorization Manual (SAM).

5) Note that while 268.40 is delegable to States, "Administrator" in the following phrase "approved by the Administrator under the procedures set forth in 268.42(b)" should not be replaced in 268.40(b) with an analogous State term because it is referring to decisions under 268.42(b). Such decisions will be made by the EPA Administrator.

6) States do not need to adopt requirements equivalent to 40 CFR 268.10, 268.11, 268.12 and 268.13 because these sections of code contain the schedule by which EPA must evaluate wastes for land disposal restrictions. As such, these sections of code are not included in this consolidated checklist.

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

7) Note that the Toxicity Characteristic Leaching Procedure (TCLP) referred to by the Third Third Scheduled Waste Rule is the TCLP entered into the Federal code at 40 CFR 261 Appendix II by the Toxicity Characteristic Rule (55 FR 11798, March 29, 1990) and amended at 55 FR 26986 (June 29, 1990). (Both the Toxicity Characteristic Rule and the June amendment are addressed by Revision Checklist 74.) The TCLP procedure previously located at 40 CFR Part 268, Appendix I and introduced by the Solvents and Dioxins Land Disposal Restrictions Rule (51 FR 40572; November 7, 1986; Revision Checklist 34) is the outdated version of the TCLP. Thus, States adopting the Third Third Scheduled Waste Rule must also adopt the new version of the TCLP. If a State has already adopted the Revision Checklist 34 TCLP, this version must be replaced with the Revision Checklist 74 TCLP. See Footnote 42 of this checklist.

8) Guidance regarding the use of the new TCLP versus the EP Toxicity Test may be found at 55 FR 22660 (June 1, 1990).

9) Adopting the alternate treatment standards for lab packs is optional. However, if a State chooses to adopt these alternate standards, all of the requirements related to these standards must be adopted, including all of the provisions added by the Third Third Scheduled Waste Rule (i.e., Revision Checklist 78) at 264.316(f), 265.316(f), 268.7(a)(8), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL							
SUBPART A - GENERAL							
PURPOSE, SCOPE, AND APPLICABILITY							
insert "and 268"	34	260.1(a)					
insert "and 268"	34	260.1(b)(1)					
insert "and 268"	34	260.1(b)(2)					
insert "and 268"	34	260.1(b)(3)					
insert "and 268"	34	260.1(b)(4)					
AVAILABILITY OF INFORMATION; CONFIDENTIALITY OF INFORMATION							
insert "and 268"	34	260.2(a)					
insert "and 268"	34	260.2(b)					
USE OF NUMBER AND GENDER							
insert "and 268"	34	260.3					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART B - DEFINITIONS

DEFINITIONS

insert "and 268" to
introductory text

34

260.10

REFERENCES

1,2 Parts 260 through 270

39

260.11(a)

SUBPART C - RULEMAKING PETITIONS

GENERAL

insert "and 268"

†34

260.20(a)

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE

insert "268,"

34

261.1(a)

insert ", 268"

34

261.1(a)(1)

DEFINITION OF HAZARDOUS WASTE

† add new paragraph
which excludes as
hazardous waste certain
nonwastewater residues
resulting from high
temperature metals
recovery processing of
K061 waste; generic
exclusion levels; testing
requirements; notification
and certification
requirements for each
shipment of certain K061
HTMR residues sent to a
subtitle D unit

95

261.3(c)(2)(ii)(C)

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add parenthetical phrase regarding characteristic waste, no longer exhibiting a characteristic, that still may be subject to 268 requirements	83	261.3(d)(1)					

EXCLUSIONS

† add new paragraph which excludes as solid waste nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums and not land disposed before recovery	95	261.4(a)(11)					
insert "268,"	34	261.4(c)					
remove "267" and insert "268"	34	261.4(d)(1)					

SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS

insert ", 268,"	34	261.5(b)					
insert ", 268,"	34	261.5(c)					
insert ", 268,"	34	261.5(e)					
3 insert ", 268,"	34	261.5(f)(2)					
insert ", 268,"	34	261.5(g)(2)					

REQUIREMENTS FOR RECYCLABLE MATERIALS

insert "268,"	34	261.6(a)(3)					
---------------	----	-------------	--	--	--	--	--

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
insert "268,"	34	261.6(c)(1)					

RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS

insert "268,"	34	261.7(a)(1)					
insert "268,"	34	261.7(a)(2)					

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

GENERAL

insert "268,"; remove ", but is not listed as a hazardous waste in Subpart D"; change "the EPA" to "every EPA"; insert "that is applicable as" before "set forth"; remove "in the respective characteristic" before "in this Subpart"; insert "used" after "This number must be"; before "recordkeeping" change "certain" to "all applicable"	34,78,83	261.20(b)					
---	----------	-----------	--	--	--	--	--

CHARACTERISTIC OF IGNITABILITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.21(b)					
---	----	-----------	--	--	--	--	--

CHARACTERISTIC OF CORROSIVITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.22(b)					
---	----	-----------	--	--	--	--	--

CHARACTERISTIC OF REACTIVITY

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.23(b)					

TOXICITY CHARACTERISTIC

4 remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.24(b)					
---	----	-----------	--	--	--	--	--

SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

insert "268,"	34	261.30(c)					
---------------	----	-----------	--	--	--	--	--

HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

add the waste "F039" in alpha-numeric order to list	78,83	261.31(a)					
---	-------	-----------	--	--	--	--	--

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER
RESIDUES, AND SPILL RESIDUES THEREOF

5 insert "or (f)" after "(e)"; change "261.7(b)(3)" to "261.7(b)"	78	261.33(c)					
---	----	-----------	--	--	--	--	--

APPENDIX VII, PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add "F039" to list in alphanumeric order	78	Appendix VII					
---	----	--------------	--	--	--	--	--

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

HAZARDOUS WASTE DETERMINATION

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
in the first sentence, replace "If" with "For purposes of compliance with 40 CFR Part 268, or if"; remove "as a hazardous waste" after "listed"; replace "he must determine" with "the generator must then determine"	78,83	262.11(c)					
add new paragraph regarding possible exclusions or restrictions in Parts 264, 265 or 268	34	262.11(d)					

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

replace "and with §265.16" with ", with §265.16, and with 40 CFR 268.7(a)(4)"	78	262.34(a)(4)					
replace "and" between "section" and "the requirements" with ";" and add "the requirements of 40 CFR 268.7(a)(4)"	83	262.34(d)(4)					

SUBPART G - FARMERS

FARMERS

6 pesticide disposal by farmers	†39	262.70					
---------------------------------	-----	--------	--	--	--	--	--

PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
TRANSFER FACILITY REQUIREMENTS							
insert ",268"	34	263.12					
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES							
SUBPART A - GENERAL							
PURPOSE, SCOPE AND APPLICABILITY							
add new paragraph regarding facilities to which Part 264 applies	34	264.1(h)					
SUBPART B - GENERAL FACILITY STANDARDS							
GENERAL WASTE ANALYSIS							
insert "Part 268"; add sentence regarding what information, at a minimum, the waste analysis must contain	34,102	264.13(a)(1)					
revise comment following paragraph (a) (2) as follows: remove "or all" after "supply part"; add ", except as otherwise specified in 40 CFR 268.7(b) and (c)." to the second sentence	78	264.13(a)(2)					
insert "268.7"	34	264.13(b)(6)					
add new paragraph and subparagraphs regarding exempted surface impoundment plan specifications	34	264.13(b)(7)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
sampling impoundment contents	34	264.13(b)(7)(i)					
analysis procedures	34	264.13(b)(7)(ii)					
annual removal of specific residues; criteria:	34,39,50	264.13(b)(7)(iii)					
do not meet treatment standards of Part 268, Subpart D	50	264.13(b)(7)(iii)(A)					
where no treatment standards have been established	50	264.13(b)(7)(iii)(B)					
prohibited disposal of residues under 268.32 or RCRA 3004(d)	50	264.13(b)(7)(iii)(B) (1)					
prohibited disposal of residues under 268.33(f)	50	264.13(b)(7)(iii)(B) (2)					

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	34	264.73(b)(3)					
add new paragraph; records for each shipment placed in units under a 268.5 extension, a 268.6 petition, or a 268.8 certification; 268.7(a) generator notice	34,50	264.73(b)(10)					
add new paragraph; off- site treatment facility requirements	34,50	264.73(b)(11)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph; on-site treatment facility requirements	34,50	264.73(b)(12)					
add new paragraph; off-site land disposal facility requirements	34,50	264.73(b)(13)					
7 add new paragraph; on-site land disposal facility requirements	34,50	264.73(b)(14)					
add new paragraph; off-site storage facility requirements	50	264.73(b)(15)					
add new paragraph; on-site storage facility requirements	50	264.73(b)(16)					

SUBPART K - SURFACE IMPOUNDMENTS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and impoundment satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.229					
---	----	---------	--	--	--	--	--

SUBPART L - WASTE PILES

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and waste pile satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.256					
--	----	---------	--	--	--	--	--

SUBPART M - LAND TREATMENT

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
insert "the waste and the treatment zone meet all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.281					

SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

replace "in treated, rendered, or mixed before or immediately after placement in a landfill so that:" with "and landfill meet all applicable requirements of Part 268, and:"	78	264.312(a)					
begin the first sentence with "Except for prohibited wastes which remain subject to treatment standards in Subpart D of Part 268,"	78	264.312(b)					

DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)

†,9 add new paragraph regarding disposal in compliance with Part 268; requirement for fiber drums to meet DOT specifications and 264.316(b) requirements if incinerate lab packs	78	264.316(f)					
--	----	------------	--	--	--	--	--

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

7	add new paragraph regarding facilities to which Part 265 applies; Part 268 standards are material conditions of the 265 standards	34,78	265.1(e)				
---	---	-------	----------	--	--	--	--

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

8	insert "Part 268"; add sentence regarding what information, at a minimum, the waste analysis must contain	34,102	265.13(a)(1)				
	revise comment following subparagraph (a)(2) as follows: remove "or all" after "supply part"; add ", except as otherwise specified in 40 CFR 268.7(b) and (c)." to the second sentence	78	265.13(a)(2)				
	insert "268.7"	34	265.13(b)(6)				
	add new paragraph and subparagraphs regarding exempt surface impoundment plan specifications	34	265.13(b)(7)				
	sampling impoundment contents	34	265.13(b)(7)(i)				
	analysis procedures	34	265.13(b)(7)(ii)				

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
annual removal of specific residues; criteria:	34,39,50	265.13(b)(7)(iii)					
do not meet treatment standards of Part 268, Subpart D	50	265.13(b)(7)(iii)(A)					
where no treatment standards have been established	50	265.13(b)(7)(iii)(B)					
prohibited disposal of residues under 268.32 or RCRA 3004(d)	50	265.13(b)(7)(iii)(B) (1)					
prohibited disposal of residues under 268.33(f)	50	265.13(b)(7)(iii)(B) (2)					

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	34	265.73(b)(3)					
add new paragraph; records for each shipment placed in units under a 268.5 extension, a 268.6 petition, or a 268.8 certification; 268.7(a) generation notice	34,50	265.73(b)(8)					
add new paragraph; off- site treatment facility requirements	34,50	265.73(b)(9)					
add new paragraph; on- site treatment facility requirements	34,50	265.73(b)(10)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph; off-site land disposal facility requirements	34,50	265.73(b)(11)					
add new paragraph; on-site land disposal facility requirements	34,50	265.73(b)(12)					
add new paragraph; off-site storage facility requirements	50	265.73(b)(13)					
add new paragraph; on-site storage facility requirements	50	265.73(b)(14)					

SUBPART K - SURFACE IMPOUNDMENTS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and impoundment satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.229					
---	----	---------	--	--	--	--	--

SUBPART L - WASTE PILES

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and pile satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.256					
--	----	---------	--	--	--	--	--

SUBPART M - LAND TREATMENT

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
insert "the waste and treatment zone meet all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.281					

SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

replace "is treated, rendered, or mixed before or immediately after placement in a landfill so that:" with "and landfill meets all applicable requirements of 40 CFR Part 268, and:"	78	265.312(a)					
begin the first sentence with "Except for prohibited wastes which remain subject to treatment standards in Subpart D of Part 268,"	78	265.312(b)					

DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)

†,9 add new paragraph regarding disposal in compliance with Part 268; requirement for fiber drums to meet DOT specifications and 265.316(b) requirements if incinerate lab packs	78	265.316(f)					
--	----	------------	--	--	--	--	--

**PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND
SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

add language to reflect that products for general public's use are not subject to regulation if they meet treatment requirements of 268 Subpart D or prohibition levels of 268.32 or 3004(d) where no treatment standards; delete the word "constituent" from the parenthetical phrase following "recyclable material"; add sentence exempting from regulation commercial fertilizers produced for the general public's use that contain recyclable materials; zinc-containing fertilizers using K061 not subject to this requirement	50,66	266.20(b)					
---	-------	-----------	--	--	--	--	--

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

purpose	34	268.1(a)					
applicability	34	268.1(b)					
conditions for continued land disposal:	34,66	268.1(c)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
7 persons with an extension	34	268.1(c)(1)					
7 persons with an exemption	34	268.1(c)(2)					
10 wastes that are hazardous only because they exhibit a hazardous characteristic, and which are otherwise prohibited from land disposal, are not prohibited from land disposal if the wastes:	34,39,50, 66,78	268.1(c)(3)					
disposed into a nonhazardous or hazardous injection well as defined in 40 CFR 144.6(a)	78	268.1(c)(3)(i)					
do not exhibit any prohibited characteristic of hazardous waste at the point of injection	78	268.1(c)(3)(ii)					
11 removed	34,39, 50,66	268.1(c)(4)					
12 removed	39,48, 50,78	268.1(c)(5)					
preserve waiver availability under 121(d) (4) of CERCLA	50	268.1(d)					
wastes which are not subject to any provisions of Part 268:	66	268.1(e)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
wastes generated by generators of less than 100 kg of hazardous waste or less than 1 kg of acute hazardous waste, as defined in 261.5	66	268.1(e)(1)					
waste pesticides that a farmer disposes pursuant to 262.70	66	268.1(e)(2)					
wastes identified or listed as hazardous after November 8, 1984 for which EPA has not promulgated land disposal prohibitions or treatment standards	66	268.1(e)(3)					

DEFINITIONS APPLICABLE TO THIS PART

introductory paragraph regarding definitions	78	268.2					
"halogenated organic compounds" or "HOCs"	39,78	268.2(a)					
13 "hazardous constituent or constituents"	34,78	268.2(b)					
13 "land disposal"	34,39,78	268.2(c)					
"nonwastewaters"	78,83	268.2(d)					
14 "polychlorinated biphenyls" or "PCBs"	39,78	268.2(e)					
"wastewaters"	78	268.2(f)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
"F001, F002, F003, F004, F005 solvent-water mixtures"	78,83	268.2(f)(1)					
"K011, K013, K014 wastewaters"	78,83	268.2(f)(2)					
"K103 and K104 wastewaters"	78	268.2(f)(3)					
"inorganic solid debris"; specific inorganic or metal materials:	78,83	268.2(g)					
metal slags	78,83	268.2(g)(1)					
glassified slag	78,83	268.2(g)(2)					
glass	78,83	268.2(g)(3)					
concrete	78,83	268.2(g)(4)					
masonry and refractory bricks	78,83	268.2(g)(5)					
metal cans, containers, drums or tanks	78,83	268.2(g)(6)					
metal nuts, bolts, pipes, pumps, valves, appliances or industrial equipment	78,83	268.2(g)(7)					
scrap metal as defined in 40 CFR 261.1(c)(6)	78	268.2(g)(8)					

DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
15 except as provided in 268.3(b), dilution not substitute for treatment; restriction regarding circumvention of effective dates and avoidance of prohibition of Subpart C or RCRA 3004	34,39,78	268.3(a)					
permissible forms of dilution related to Sections 307 or 402 of the CWA; exception for D003 reactive cyanide wastewater or nonwastewater	78,102	268.3(b)					
† TREATMENT SURFACE IMPOUNDMENT EXEMPTION							
when prohibited wastes may be treated in a surface impoundment	34	268.4(a)					
treatment occurs in impoundments	34	268.4(a)(1)					
soft hammer wastes in treatment surface impoundments that meet a list of conditions:	34,39,50	268.4(a)(2)					
sampling and testing requirements for wastes with and without treatment standards; supernatant and sludge samples tested separately	50	268.4(a)(2)(i)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
annual removal of specific residues; residues subject to valid certification; flow- through standard of removal for supernatant	50	268.4(a)(2)(ii)					
requirements for subsequent management of treatment residues in another impoundment; prohibited unless certification under 268.8 and standards of 268.8(a) are met	50	268.4(a)(2)(iii)					
recordkeeping requirements must be specified in the facility's waste analysis plan	50	268.4(a)(2)(iv)					
7 design requirements/ exemptions	34	268.4(a)(3)					
exempt under 264.221(d) or (e) or 265.221(c) or (d)	34	268.4(a)(3)(i)					
7 conditions under which Administrator grants waiver of requirements; meets RCRA §3005(j) (2)	34	268.4(a)(3)(ii)					
		268.4(a)(3)(ii)(A)					
		268.4(a)(3)(ii)(B)					
		268.4(a)(3)(ii)(C)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
7 modification granted on basis of a demonstration of no migration into groundwater or surface water at any future time; satisfies RCRA §3005(j) (11) no migration	34	268.4(a)(3)(iii)					
7 submittal of written certification and waste analysis plan	34	268.4(a)(4)					
evaporation of hazardous constituents not considered treatment for exemption purposes	39	268.4(b)					

Guidance note: 268.5 is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

PROCEDURES FOR CASE-BY-CASE EXTENSIONS TO AN EFFECTIVE DATE

application to EPA Administrator for an extension to effective date of any Part 268, Subpart C restriction; what the applicant must demonstrate:	34	268.5(a)					
good-faith effort to locate and contract with treatment, recovery, or disposal facilities nationwide to manage waste according to Subpart C effective date	34	268.5(a)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
binding contractual commitment to construct or provide alternate treatment, recovery (e.g., recycling), or disposal capacity that meets Subpart D treatment standards; requirements when no treatment standards	34,39	268.5(a)(2)					
demonstration that alternative capacity cannot reasonably be available by effective date due to circumstances beyond applicant's control; how this must be demonstrated	34	268.5(a)(3)					
capacity being constructed or provided by applicant must be sufficient to manage entire quantity of waste	34	268.5(a)(4)					
detailed schedule for obtaining required permits or outline of how and when alternate capacity will be available	34	268.5(a)(5)					
arranged for adequate capacity during extension and documented in all site locations where wastes will be managed	34	268.5(a)(6)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
surface impoundment or landfill used must meet 268.5(h)(2) requirements	34	268.5(a)(7)					
certification by authorized representative signing an application	34	268.5(b)					
Administrator may request additional information	34	268.5(c)					
extension applies only to waste generated at individual facility covered by extension	34	268.5(d)					
Administrator may grant extension of up to 1 year from effective date; extension for 1 additional year if 268.5(a) demonstration can still be made; no extension beyond 24 months from 268, Subpart C effective date; length of extension determined by Administrator and basis; public notice and comment; final decision published in <u>Federal Register</u>	34	268.5(e)					
notify Administrator of change in certified conditions	34	268.5(f)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
written progress reports at intervals designated by Administrator; what progress reports must include; conditions for revocation of extension by Administrator	34	268.5(g)					
during period established by Administrator for which extension is in effect:	34	268.5(h)					
268.5(a) storage restrictions do not apply	34,39	268.5(h)(1)					
conditions for disposal in landfill or surface impoundment regardless of whether unit is existing, new, replacement or lateral extension	34,50,66	268.5(h)(2)					
interim status landfill requirements	34	268.5(h)(2)(i)					
permitted landfill requirements	34	268.5(h)(2)(ii)					
interim status surface impoundment requirements	34,39	268.5(h)(2)(iii)					
permitted surface impoundment requirements	34	268.5(h)(2)(iv)					
requirements for landfills disposing of specified PCB waste	39	268.5(h)(2)(v)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
pending decision on application, compliance with all legal disposal restrictions once effective date has been reached	34	268.5(i)					

Guidance note: 268.6 is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

PETITIONS TO ALLOW LAND DISPOSAL OF A WASTE PROHIBITED UNDER SUBPART C OF PART 268

submit petition to Administrator; demonstration of no waste migration; demonstration components	34	268.6(a)					
identify specific unit and waste	34	268.6(a)(1)					
waste analysis	34	268.6(a)(2)					
comprehensive disposal unit characterization	34	268.6(a)(3)					
monitoring plan detecting migration at the earliest time	50	268.6(a)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
sufficient information to assure Administrator that owner/operator is in compliance with other applicable Federal, State and local laws	50	268.6(a)(5)					
demonstration criteria:	50	268.6(b)					
data must be accurate and reproducible	50	268.6(b)(1)					
Administrator approved sampling, testing and estimation techniques	34	268.6(b)(2)					
model calibration; models verified with actual data	34	268.6(b)(3)					
quality assurance/control plan approved by Administrator	34	268.6(b)(4)					
uncertainty analysis	34	268.6(b)(5)					
16 what each petition must include:	50	268.6(c)					
monitoring plan including description of monitoring program to verify continued compliance with variance; information which must be included	50	268.6(c)(1)					
media monitored	50	268.6(c)(1)(i)					
type of monitoring	50	268.6(c)(1)(ii)					
monitoring station location	50	268.6(c)(1)(iii)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
monitoring interval	50	268.6(c)(1)(iv)					
specific hazardous constituents to be monitored	50	268.6(c)(1)(v)					
monitoring program implementation schedule	50	268.6(c)(1)(vi)					
monitoring station equipment	50	268.6(c)(1)(vii)					
sampling and analytical techniques employed	50	268.6(c)(1)(viii)					
data recording/reporting procedures	50	268.6(c)(1)(ix)					
268.6(c)(1) monitoring program must be in place by Administrator- specified time period, as part of approval of the petition, prior to prohibited waste receipt at unit	50	268.6(c)(2)					
268.6(c)(1) monitoring data sent to Administrator according to monitoring plan must be according to approved format and schedule	50	268.6(c)(3)					
monitoring data as per 268.6(c)(1) monitoring plan must be kept in on- site operating record	50	268.6(c)(4)					
criteria the 268.6(c)(1) monitoring program must meet:	50	268.6(c)(5)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
Administrator approval for all sampling, testing, and analytical data; data accurate and reproducible	50	268.6(c)(5)(i)					
Administrator approval of all estimation and monitoring techniques	50	268.6(c)(5)(ii)					
QA/QC plan for all aspects of monitoring program provided to and approved by Administrator	50	268.6(c)(5)(iii)					
16 petition submitted to 17 Administrator	34,50	268.6(d)					
18 reporting of changes at unit and/or surrounding environment that significantly depart from variances and affect migration potential	50	268.6(e)					
changes to unit design, construction or operation proposed in writing and a demonstration to Administrator 30 days prior to change; Administrator makes determination if petition is invalidated and determines appropriate response; Administrator approval before changes can be made	50	268.6(e)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
within 10 days of discovering change, written notification to Administrator if condition is not as predicted or modeled in petition; Administrator decides if change requires further action	50	268.6(e)(2)					
19 owner/operator responsibilities if hazardous waste migration:	50	268.6(f)					
immediate suspension of prohibited waste receipt	50,66	268.6(f)(1)					
within 10 days written notification to Administrator	50	268.6(f)(2)					
Administrator decision within 60 days as to continued receipt of prohibited waste; Administrator determines if further examination of any migration warranted	50	268.6(f)(3)					
20 signed statement	34,50	268.6(g)					
20 Administrator may request additional information	34,50	268.6(h)					
20 waste unit to which petition applies	34,50	268.6(i)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
20 Administrator gives public notice in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34,50	268.6(j)					
20 term of petition	34,50	268.6(k)					
20 requirements prior to Administrator's decision	34,50	268.6(l)					
20 petition granted by Administrator does not relieve responsibilities under RCRA	34,50	268.6(m)					
21 noneligibility of certain liquid PCB wastes for "no migration" petitions under 268.6	39,50	268.6(n)					

WASTE ANALYSIS AND RECORDKEEPING

7 generator determines if listed waste is a restricted waste; 268.32 exception; if characteristic is exhibited, test extract using 268, Appendix IX methods or use knowledge of waste to determine if restricted from land disposal	34,39, 50,83	268.7(a)					
---	-----------------	----------	--	--	--	--	--

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
if generator is managing restricted waste that does not meet applicable treatment standards, must notify treatment or storage facility of appropriate treatment standards	34,39,50	268.7(a)(1)					
information the notice must include	34	268.7(a)(1)(i)					
	34,39,78,83	268.7(a)(1)(ii)					
		268.7(a)(1)(iii)					
	34	268.7(a)(1)(iv)					
7 if managing restricted waste that can be land disposed without further treatment, notice and certification to treatment, storage, or land disposal facility;	34,39,50	268.7(a)(2)					
information required in notice to treatment, storage or land disposal facility		268.7(a)(2)(i)					
	34	268.7(a)(2)(i)(A)					
	34,39,78,83	268.7(a)(2)(i)(B)					
		268.7(a)(2)(i)(C)					
	34	268.7(a)(2)(i)(D)					
certification signature/statement	34,39	268.7(a)(2)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
7 for waste subject to exemption from prohibition (such as a case-by-case 268.5 extension, 268.6 exemption or Subpart C nationwide capacity variance) on land disposal method used for the waste, notice to receiving facility that waste is not prohibited from land disposal	34,50,66	268.7(a)(3)					
22 information the notice must include	50	268.7(a)(3)(i)					
	50,78,83	268.7(a)(3)(ii)					
		268.7(a)(3)(iii)					
		268.7(a)(3)(iv)					
	50	268.7(a)(3)(v)					
for prohibited waste managed in tanks or under 262.34 and treated to meet 268 Subpart D standards, waste analysis plan to be developed, followed and kept on-site	50,66,78	268.7(a)(4)					
23 waste analysis plan based on detailed chemical and physical analysis of representative sample; contain information necessary to treat waste in accordance with 268 requirements	50,78	268.7(a)(4)(i)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
23 file plan with EPA Regional Administrator or authorized State 30 days prior to treatment; delivery verified	50,78	268.7(a)(4)(ii)					
23 compliance with 268.7(a) (2) notification requirements for wastes shipped off-site	50,78	268.7(a)(4)(iii)					
23 removed	50,78	268.7(a)(4)(iv)					
7,24 maintenance of data supporting knowledge of waste; retention of waste analysis data on-site in files	34,50	268.7(a)(5)					
conditions under which a generator, managing a restricted waste excluded from the definition of hazardous or solid waste, must place a one-time notice in the facility's file containing specified information	83	268.7(a)(6)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
25 five-year retention period for notices, certifications, demonstrations, etc., produced relative to 268.7; extensions during enforcement actions; requirements apply to solid wastes even when hazard characteristic is removed prior to disposal or when waste excluded from definition of hazardous or solid waste in 261.2-261.6 or exempted from Subtitle C regulation subsequent to the point of generation	50,83	268.7(a)(7)					
† notice for a generator 9 managing a lab pack that 25 contains wastes identified in Appendix IV if use alternative treatment standards under 268.42; 268.7(a)(5)&(6) compliance; certification	78,83	268.7(a)(8)					
† notice for a generator 9 managing a lab pack that 25 contains organic wastes specified in Appendix V if use alternate treatment standard under 268.42; 268.7(a)(5)&(6) compliance; certification	78,83	268.7(a)(9)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
25 notification and certification requirements for small quantity generators with tolling agreements pursuant to 40 CFR 262.20(e)	78,83	268.7(a)(10)					
treatment facility testing at frequency specified in waste analysis plan	34,39,50	268.7(b)					
testing when standards are expressed as concentrations in waste extract	50	268.7(b)(1)					
testing of 268.32 or 3004(d) prohibited wastes not subject to Subpart D treatment standards	50	268.7(b)(2)					
testing for wastes with treatment standards expressed as concentrations in waste	50	268.7(b)(3)					
26 notice with each shipment by treatment facility to land disposal facility	34,50	268.7(b)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
26 information the notice must include	34,50	268.7(b)(4)(i)					
	34, 39,50, 78,83	268.7(b)(4)(ii)					
		268.7(b)(4)(iii)					
	34,50	268.7(b)(4)(iv)					
27 certification of each shipment	34,39,50	268.7(b)(5)					
27 certification requirements for wastes with treatment standards expressed as concentrations in the waste extract or in the waste, or for wastes prohibited under 268.32 or RCRA Section 3004(d) which do not have 268, Subpart D treatment standards	34,39, 50,78	268.7(b)(5)(i)					
27 certification requirements for wastes with treatment standards expressed as technologies	34,50	268.7(b)(5)(ii)					
certification requirements for wastes with treatment standards expressed as concentrations in the waste pursuant to 268.43	78	268.7(b)(5)(iii)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
compliance with generator notice and certification requirements if waste sent offsite	50	268.7(b)(6)					
28 no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	50,66,78	268.7(b)(7)					
29 requirements for land disposal facility except where the owner or operator is disposing recyclable wastes pursuant to 266.20(b):	34,39,50,78	268.7(c)					
29 have copies of notice and certifications under 268.7(a) or (b) and certifications in 268.8 if applicable	34,39,50	268.7(c)(1)					
29 test of waste or extract; applicable treatment standards to be met; frequency of testing	39,50	268.7(c)(2)					
30 removed	50,78	268.7(c)(3)					
30 removed	66,78	268.7(c)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS							
disposal of 268.33(f) prohibited wastes in landfills or surface impoundments in compliance with 268.5(h) (2) if requirements of 268.8 are met; section not in effect as of May 8, 1990	50,78	268.8(a)					
good faith generator effort to contract with treatment and recovery facilities providing greatest environmental benefit	50	268.8(a)(1)					
specific requirements for generator if no practically available treatment for waste:	50,66	268.8(a)(2)					
prior to initial shipment, demonstration to Regional Administrator containing specified lists and written discussion; certification; waste shipment	50,66	268.8(a)(2)(i)					
for initial shipment, demonstration and certification sent to receiving facilities; certification only for subsequent shipments; generator recordkeeping and five-year retention	50,66	268.8(a)(2)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
specific requirements for generator if there are practically available treatments for waste:	50,66	268.8(a)(3)					
prior to initial shipment, demonstration to Regional Administrator containing specified lists and written discussion; certification; waste shipment	66	268.8(a)(3)(i)					
with initial shipment copy of demonstration and certification sent to receiving facilities; certification only for subsequent shipments; generator recordkeeping and five-year retention	66	268.8(a)(3)(ii)					
31 where there is practically available treatment for waste prior to disposal, copy of demonstration and certification submitted to receiving facility with initial shipment; certification only for subsequent shipments; generator recordkeeping and five-year retention	50	268.8(a)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
additional information for certification if requested by Regional Administrator; submittal of new demonstration and certification as provided in 268.8(a) to the receiving facility	50	268.8(b)					
notification when any change in conditions forming basis of certification occurs	50,66	268.8(b)(1)					
invalidation when Regional Administrator finds practically available treatment method or a method yielding greater environmental benefit than certified	50	268.8(b)(2)					
when certification is invalidated, generator must cease shipment, communicate with facilities receiving waste, and keep records of communication	50	268.8(b)(3)					
receiving treatment, recovery or storage facilities keep copy of generator's demonstration and certification	50	268.8(c)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
receiving treatment, storage or recovery facility certify waste treated according to generator's demonstration	50	268.8(c)(1)					
for initial shipment, treatment, recovery or storage facility must send copy of generator's demonstration and certification(s) to facility receiving waste or treatment residues; certification only for subsequent shipments, if certification conditions remain unchanged	50,66	268.8(c)(2)					
disposal facility must assure certification prior to disposal in landfill or surface impoundment unit and units in accordance with 268.5(h)(2) for wastes prohibited under 268.33(f)	50,66	268.8(d)					
wastes may be disposed in landfill or surface impoundment meeting 268.5(h)(2) requirements if certified and treated	50	268.8(e)					

SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
determination of applicable treatment standards under Subpart D, Part 268 by initial generator of a solid waste; code designation and exceptions	78,83	268.9(a)					
the treatment standard for the waste code listed in 40 CFR Part 261, Subpart D will operate for wastes both listed under Subpart D, Part 261 and exhibit a characteristic under Subpart C, Part 261; conditions under which treatment standards for all applicable listed and characteristic waste codes must be met	78	268.9(b)					
no prohibited waste which exhibits a characteristic under 40 CFR Part 261, Subpart C may be land disposed unless waste complies with Part 268, Subpart D treatment standards	78	268.9(c)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
wastes that exhibit a characteristic are subject to all 268.7 requirements, but no notification once the wastes are no longer hazardous; if not hazardous, notification/certification sent to EPA Regional Administrator or authorized State	78	268.9(d)					
information needed with each notification		268.9(d)(1)					
	78	268.9(d)(1)(i)					
	78,83	268.9(d)(1)(ii)					
	78	268.9(d)(1)(iii)					
certification signed by authorized representative stating language found in 268.7(b)(5)(i)	78	268.9(d)(2)					

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS - SOLVENT WASTES

32 effective November 8, 1986, F001-F005 spent solvent wastes, as specified in 261.31, are prohibited from land disposal unless one or more conditions apply:	34	268.30(a)					
generated by an SQG of 100-1000 kg/mo	34	268.30(a)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
generated by a CERCLA response action/corrective action except where waste is contaminated soil or debris	34,50	268.30(a)(2)					
7 concentration-specific exemption (solvent waste with less than 1% total solvent constituent)	34,50	268.30(a)(3)					
solvent waste residue from treating a 268.30(a) (1), (a)(2), or (a)(3) waste or residue from other wastes meeting specific requirements	39	268.30(a)(4)					
effective November 8, 1988, the F001-F005 solvent exemptions of 268.30(a)(1)-(4) are prohibited from land disposal	34,50	268.30(b)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
land disposal of F001- F005 solvent wastes that are contaminated soil and debris (and their treatment residues) resulting from CERCLA action or RCRA corrective action prohibited after November 8, 1990; permitted disposal in landfill or surface impoundment unit in compliance with 268.5(h) (2) prior to November 8, 1990	50	268.30(c)					
33 situations where 268.30(a), (b) and (c) do not apply:	34,50	268.30(d)					
33 wastes treated to meet Subpart D of Part 268	34,50	268.30(d)(1)					
33 disposal at facility with successful no-migration petition	34,50	268.30(d)(2)					
33 wastes and units for which case-by-case extensions have been granted	34,50	268.30(d)(3)					

WASTE SPECIFIC PROHIBITIONS - DIOXIN-CONTAINING WASTES

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
7 effective November 8, 1988, the dioxin-containing wastes, F020-F023 and F026-F028, are prohibited from land disposal unless a specific condition applies:	34,50	268.31(a)					
these wastes are contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	50	268.31(a)(1)					
prohibit land disposal of F020-F023 and F026-F028 dioxin-containing wastes of 268.31(a)(1) effective November 8, 1990	50	268.31(b)					
7 between November 8, 1988, and November 8, 1990, wastes of 268.31(a)(1) disposed in landfill or surface impoundment must meet 268.5(h)(2) and applicable 264 and 265 requirements	34,50	268.31(c)					
7,34 situations where 268.31(a) and (b) do not apply	34,50	268.31(d)					
7,34 wastes treated to meet Subpart D, Part 268 standards	34,50	268.31(d)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
7,34 disposal at facility with successful no-migration petition	34,50	268.31(d)(2)					
7,34 extension to effective date of a prohibition	34,50	268.31(d)(3)					
WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES							
prohibitions effective July 8, 1987, except in injection wells:	39	268.32(a)					
liquids having pH less than or equal to 2.0	39	268.32(a)(1)					
liquids containing PCBs greater than or equal to 50 ppm	39	268.32(a)(2)					
liquids containing HOCs greater than or equal to 1,000 mg/l and less than 10,000 mg/l	39	268.32(a)(3)					
reserved	39	268.32(b)					
reserved	39	268.32(c)					
268.32(a) and (e) requirements do not apply until specific calendar dates:	39,50	268.32(d)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
July 8, 1989 for contaminated soil or debris <u>not</u> resulting from a 104 or 106 CERCLA response or a RCRA corrective action; disposal allowed between July 8, 1987, and July 8, 1989, in landfill or surface impoundment in compliance with 268.5(h)(2)	50	268.32(d)(1)					
November 8, 1990 for contaminated soil or debris resulting from a CERCLA 104 or 106 response or a RCRA corrective action; disposal between November 8, 1988, and November 8, 1990, permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	50	268.32(d)(2)					
land disposal prohibitions effective November 8, 1988:	39,50	268.32(e)					
35 liquids containing HOCs greater than or equal to 1,000 mg/l and not prohibited under 268.32(a)(3)	39	268.32(e)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
nonliquid wastes containing HOCs greater than or equal to 1,000 mg/kg and not wastes described in 268.32(d)	39,50	268.32(e)(2)					
between July 8, 1987, and November 8, 1988, 268.32(e)(1) and (e)(2) wastes may be disposed of in a landfill or surface impoundment if disposal complies with 268.5(h) (2)	39,50,66	268.32(f)					
requirements of 268.32(a), (d) and (e) do not apply under certain conditions:	39,50	268.32(g)					
granted a 268.6 exemption	39	268.32(g)(1)					
granted a 268.5 exemption	39	268.32(g)(2)					
in compliance with Subpart D standards, or, where standard not specified, with RCRA 3004(d) or 268.32 prohibitions	39	268.32(g)(3)					
requirements of 268.32(a)(3), (d) and (e) do not apply when subject to Part 268, Subpart C prohibition	39,50	268.32(h)					
1 method 9095 required	39	268.32(i)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
applicability of waste analysis/recordkeeping requirements of 268.7:	39	268.32(j)					
initial generator must use 261.22(a)(1) procedures or knowledge of pH; pH less than or equal to 2.0 restriction	39	268.32(j)(1)					
initial generator must test for or have knowledge of HOC or PCB concentration levels; restriction above levels	39	268.32(j)(2)					
WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES							
specific wastes prohibited from land disposal effective August 8, 1988	50,66	268.33(a)					
land disposal prohibition of K061 waste containing 15% or greater of zinc pursuant to 268.41 treatment standard for K061 containing less than 15% zinc	50	268.33(a)(1)					
K071 prohibited from land disposal effective August 8, 1990	50,83	268.33(b)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
effective August 8, 1990, land disposal prohibition of wastes specified in 268.10 having a treatment standard in 268, Subpart D based on incineration and which are contaminated soil and debris	50	268.33(c)					
between November 8, 1988, and August 8, 1990, landfill or surface impoundment disposal of wastes included under 268(b) & (c) permitted if unit is in compliance with 268.5(h)(2)	50	268.33(d)					
requirements of 268(a)-(d) do not apply if:	50	268.33(e)					
waste meets applicable 268, Subpart D standards	50	268.33(e)(1)					
granted an exemption from prohibition for wastes and units under 268.6	50	268.33(e)(2)					
granted an extension to an effective date for wastes under 268.5	50	268.33(e)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
prohibition of landfill or surface impoundment disposal of wastes specified in 268.10 for which treatment standards have not been promulgated (other than 268.32 or section 3004(d) prohibitions) unless a demonstration and certification have been submitted	50,66	268.33(f)					
for a waste listed in 268.10, initial generator testing to determine if 268.41 and 268.43 treatment standards are exceeded; prohibition from land disposal if exceed standards	50,66	268.33(g)					
WASTE SPECIFIC PROHIBITIONS - SECOND THIRD WASTES							
effective June 8, 1989, prohibition from land disposal of specific 261.31, 261.32 and 261.33 wastes	63	268.34(a)					
effective June 8, 1989, prohibition from land disposal, except underground injection pursuant to 148.14(f) and 148.15(d), of certain 261.32 wastes	63	268.34(b)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
effective June 8, 1989, prohibition from land disposal of F006, F008, F009, F011 and F012	63	268.34(c)					
effective July 8, 1989, F007 prohibited from land disposal except underground injection pursuant to 148.14(f)	63	268.34(c)(1)					
July 8, 1989, until December 8, 1989, F011 and F012 non- wastewaters prohibited from land disposal pursuant to 268.41 and 268.43 treatment standards for F007, F008 and F009 non- wastewaters; effective December 8, 1989, F011 and F012 prohibited from land disposal pursuant to 268.41 and 268.43 treatment standards for F011 and F012 nonwastewaters	63	268.34(c)(2)					
effective June 8, 1991, wastes specified in 268.34 with Part 268, Subpart D treatment standard based on incineration, and which are contaminated soil and debris, are prohibited from land disposal	63	268.34(d)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
requirements for landfill or surface impoundment disposal of wastes included in 268.34(c) and (d) between June 8, 1989, and June 8, 1991; applies to F007, F008, F009, F011, and F012 only between June 8, 1989, and July 8, 1989	63	268.34(e)					
requirements of 268.34(a)-(d) do not apply if:	63	268.34(f)					
meet applicable 268 Subpart D standards	63	268.34(f)(1)					
granted an exemption pursuant to a 268.6 petition for the wastes and units covered by the petition	63	268.34(f)(2)					
268.34(a), (b) and (c) do not apply if granted extension under 268.5 for wastes covered by extension	63	268.34(g)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
between June 8, 1989, and May 8, 1990, prohibition from land disposal in landfills or surface impoundments of 268.11 wastes for which Subpart D treatment standards are not applicable, including California list wastes subject to prohibitions under 3004(d) or 268.32; exceptions under 268.8	63	268.34(h)					
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 and 268.43 treatment standards; land disposal prohibited and all 268 requirements apply if constituents exceed Part 268, Subpart D level	63	268.34(i)					
WASTE SPECIFIC PROHIBITIONS - THIRD THIRD WASTES							
effective August 8, 1990, prohibition from land disposal of certain wastes specified in 261.31, 261.32, 261.33(e) and 261.33(f) as listed in 268.35(a)	78,83	268.35(a)					
effective November 8, 1990, prohibition from land disposal of certain wastes specified in 261.32	78	268.35(b)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
effective May 8, 1992, prohibition from land disposal of certain wastes specified in 261.31, 261.32, 261.33(e) and 261.33(f); certain characteristic wastes; inorganic debris defined in 268.2(g); and RCRA hazardous wastes containing naturally occurring radioactive materials	78,83,106	268.35(c)					
effective May 8, 1992, prohibition from land disposal of 268.10, 268.11 and 268.12 mixed radioactive/hazardous wastes; and soil or debris contaminated with such wastes and mixed with radioactive/hazardous waste are prohibited from land disposal	78,83	268.35(d)					
effective May 8, 1993, prohibition from land disposal of debris contaminated with 268.10, 268.11 and 268.12 wastes and debris contaminated with any characteristic waste having Subpart D, Part 268 treatment standards	78,83,103	268.35(e)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
between May 8, 1990, and August 8, 1990, wastes included in paragraph 268.35(a) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(f)					
between May 8, 1990, and November 8, 1990, wastes included in paragraph 268.35(b) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(g)					
between May 8, 1990, and May 8, 1992, wastes included in paragraphs 268.35(c), (d) and (e) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(h)					
conditions under which requirements of paragraphs 268.35(a), (b), (c), (d) and (e) do not apply:	78	268.35(i)					
wastes meet applicable Part 268, Subpart D standards	78	268.35(i)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
persons granted exemption under 268.6	78	268.35(i)(2)					
wastes meet applicable alternate standards under 268.44	78	268.35(i)(3)					
persons granted extension to the effective date of a prohibition under 268.5	78	268.35(i)(4)					
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 and 268.43 treatment standards; land disposal prohibited and all 268 requirements apply if constituents exceed Part 268, Subpart D levels	78	268.35(j)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
effective May 8, 1993, prohibition from land disposal of D008 lead materials stored before secondary smelting; submission of binding contractual commitment, documentation and detailed schedule for specified construction, and providing specified capacity, by March 1, 1993; D008 prohibited from land disposal by failure to submit documentation; placed in facility record by July 27, 1992, documentation demonstrating that such management capacity will be adequate and complies with all applicable Subtitle C requirements	106	268.35(k)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

restricted waste under 268.41 may be land disposed if extract of waste or treatment residue, developed using 261 Appendix II methods, does not exceed 268.41 Table CCWE values; exceptions; specific wastes may be land disposed if extract or treatment residue developed as specified does not exceed Table CCWE values for any hazardous constituent in Table CCWE for waste	34, †39,50, 78,83	268.40(a)					
restricted waste with a 268.42 treatment technology may be land disposed if specified technology or an Administrator-approved method is used	39	268.40(b)					
except as specified in 268.43(c), restricted waste identified in 268.43 may be land disposed only if Table CCW constituent concentration values are not exceeded	50,78	268.40(c)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT							
treatment standards; explanation of Table CCWE	34,50, 63,78,102	268.41(a)					
Constituent Concentrations in Waste Extract	34,50,63, 78,83,95	268.41(a)/Table CCWE					
treatment standards for common constituents in combined wastes; mixtures of high and low zinc nonwastewater K061 subject to treatment standard for high zinc K061	34,95	268.41(b)					
TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES							
treatment of wastes identified in 268.42(a) (1)&(2) and Tables 2 and 3 with technology(s) specified in 268.42(a) (1)&(2) and in Table 1 of 268.42	34,78	268.42(a)					
standard for incineration of liquid hazardous wastes containing PCBs	39	268.42(a)(1)					
standard for incineration of certain nonliquid hazardous wastes containing HOCs; where standards do not apply	39,50, 78,83	268.42(a)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
37 mixture of wastewater (discharge of which is subject to Clean Water Act) and de minimis losses of materials that meet the criteria of D001 ignitable liquids with greater than 10% TOC is subject to Table 1 DEACT treatment standard; de minimis defined	63,78,83	268.42(a)(3)					
38 removed	63,78	268.42(a)(4)					
Technology Codes and Description of Technology-Based Standards	78,83	268.42(a)/Table 1					
Technology-Based Standards by RCRA Waste Code	78,83,95,102	268.42(a)/Table 2					
Technology-Based Standards for Specific Radioactive Hazardous Mixed Waste	78,83	268.42(a)/Table 3					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

Guidance note: 268.42(b) is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

submit application to Administrator demonstrating alternate treatment can achieve 268.42(a), (c), & (d) performance specifications; information demonstrating compliance with Federal, State and local requirements; criteria for approval by Administrator; approval in writing containing provisions and conditions as the Administrator deems appropriate; compliance by person to whom approval is issued	34,39,78	268.42(b)					
---	----------	-----------	--	--	--	--	--

†,9 ALTERNATE TREATMENT STANDARDS FOR LAB PACKS

conditions for eligibility of lab packs for land disposal:	78	268.42(c)					
compliance of lab packs with applicable provisions of 264.316 and 265.316	78	268.42(c)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
Part 268 Appendix IV and Appendix V hazardous wastes contained in lab packs	78	268.42(c)(2)					
incineration of lab packs in accordance with Part 264, Subpart O and Part 265, Subpart O requirements	78	268.42(c)(3)					
treatment standards for incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010 and D011	78	268.42(c)(4)					
39 radioactive hazardous mixed wastes with Table 3 treatment standards not subject to 268.41 or 268.43 or Table 2 treatment standards; radioactive hazardous mixed wastes not subject to Table 3 treatment standards remain subject to 268.41, 268.43 and Table 2 treatment standards	78	268.42(d)					
TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS							
introductory paragraph for Table CCW explaining table	34,50, 63,78	268.43(a)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
Constituent Concentrations in Wastes; no land disposal for specified K wastes	50,62, 63,78,83	268.43(a)/Table CCW					
40 meet lowest constituent treatment standard when mixing wastes with differing treatment standards for a constituent of concern	50,63	268.43(b)					
conditions for demonstrating compliance with treatment standards for organic constituents provided:	78,83	268.43(c)					
treatment standards for organic constituents established based on incineration in units operated in accordance with Subpart O requirements of Part 264 or Part 265 or based on combustion in fuel substitution units in accordance with applicable technical requirements	78,83	268.43(c)(1)					
organic constituents treated using paragraph 268.43(c)(1) methods	78,83	268.43(c)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
good-faith efforts fail to detect the organic constituents; when such efforts must be demonstrated	78,83	268.43(c)(3)					

Guidance note: 268.44 is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

41 VARIANCE FROM A TREATMENT STANDARD

conditions for variance; petition Administrator; what must be demonstrated	34	268.44(a)					
procedures in accordance with 260.20	34	268.44(b)					
statement signed by petitioner or authorized representative	34	268.44(c)					
additional information or samples may be requested by Administrator; additional copies for affected States and region	34	268.44(d)					
Administrator gives public notification in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34	268.44(e)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
268.7 waste analysis requirements must be followed for wastes covered by variance	34	268.44(f)					
requirements during petition review	34	268.44(g)					
apply to Administrator or delegated representative for site-specific variance from a treatment standard if specified conditions are appropriate; what applicant must demonstrate	50,66	268.44(h)					
260.20(b)(1)-(4) information must be included	50	268.44(i)					
Assistant Administrator or delegated representative may request additional information	50	268.44(j)					
if site-specific treatment standard variance then compliance with 268.7 waste analysis requirements	50	268.44(k)					
during application review process, compliance with land disposal restrictions once effective date for waste reached	50	268.44(l)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
***** ***** ***** *****							

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
SUBPART E - PROHIBITIONS ON STORAGE							
PROHIBITIONS ON STORAGE OF RESTRICTED WASTES							
except as provided in 268.50, storage of wastes restricted from land disposal is prohibited unless certain conditions are met:	34,39	268.50(a)					
on-site storage exemption for generator	34	268.50(a)(1)					
treatment, storage, and disposal facility exemption	34	268.50(a)(2)					
container labeling	34	268.50(a)(2)(i)					
tank labeling	34	268.50(a)(2)(ii)					
transporter exemption	34	268.50(a)(3)					
storage up to one year	34	268.50(b)					
storage longer than one year	34	268.50(c)					
268.50(a) prohibition does not apply if waste is exempt from a prohibition on the type of land disposal utilized for the waste	34,50,66	268.50(d)					
no prohibition where treatment standards are not specified or are met, or compliance with 268.32 or RCRA 3004 exists	34,†39	268.50(e)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
requirements for storage of liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm	39	268.50(f)					

APPENDIX I TO PART 268

TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

7,42 TCLP is published in Appendix II of Part 261	34,74	Appendix I					
---	-------	------------	--	--	--	--	--

APPENDIX II TO PART 268

TREATMENT STANDARDS (AS CONCENTRATIONS IN THE TREATMENT RESIDUAL EXTRACT)

table	34	Appendix II					
-------	----	-------------	--	--	--	--	--

APPENDIX III TO PART 268

LIST OF HALOGENATED ORGANIC COMPOUNDS REGULATED UNDER 268.32

HOC definition and list of HOCs regulated under 268.32	39	Appendix III					
--	----	--------------	--	--	--	--	--

APPENDIX IV TO PART 268

†,9 ORGANOMETALLIC LAB PACKS

list of hazardous wastes that may be placed in "organometallic" or "Appendix IV lab packs"	78,83	Appendix IV					
--	-------	-------------	--	--	--	--	--

APPENDIX V TO PART 268

†,9 ORGANIC LAB PACKS

list of hazardous wastes that may be placed in "organic" or "Appendix V lab packs"	78,83	Appendix V					
--	-------	------------	--	--	--	--	--

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN
SECTION 268.42

list of technologies which achieve the standard of "deactivation to remove characteristics of ignitability, corrosivity, and reactivity"; use of specified technologies not mandatory; alternative methods not performed in land disposal units	78	Appendix VI					
---	----	-------------	--	--	--	--	--

APPENDIX VII TO PART 268

EFFECTIVE DATES OF SURFACE DISPOSED WASTES REGULATED IN THE LDRs

comprehensive list of wastes and effective dates	78,83	Appendix VII					
--	-------	--------------	--	--	--	--	--

APPENDIX VIII TO PART 268

NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

comprehensive list of national capacity LDR variances for UIC wastes	78,83	Appendix VIII					
--	-------	---------------	--	--	--	--	--

APPENDIX IX TO PART 268

EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST
(SW-846, METHOD 1310A)

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
interim method to determine whether a waste exhibits the characteristic of EP Toxicity	83	Appendix IX					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM**

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

add new paragraph; copy of notice of approval of petition or extension	34	270.14(b)(21)					
--	----	---------------	--	--	--	--	--

SUBPART C - PERMIT CONDITIONS

ESTABLISHING PERMIT CONDITIONS

insert "through 268"; remove "267"	34	270.32(b)(1)					
---------------------------------------	----	--------------	--	--	--	--	--

SUBPART D - CHANGES TO PERMIT

43 PERMIT MODIFICATIONS AT THE REQUEST OF THE PERMITTEE

add new paragraph and subparagraphs; conditions for treating nonspecified waste	34	270.42(o)					
prohibited from one or more land disposal methods under Part 268, Subpart C or RCRA Section 3004	34,†39	270.42(o)(1)					
treatment in accordance with 268.4 and 268.3 and:	34,†39	270.42(o)(2)					
treatment in accordance with 268.41, 268.42 or 268.44; or	†39	270.42(o)(2)(i)					

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
no standards exist and treatment removes prohibitions of 268.32 or RCRA 3004	†39	270.42(o)(2)(ii)					
no increased or substantially different risks	34	270.42(o)(3)					
Federal/State approval; allowable modifications	34	270.42(o)(4)					
add new paragraph and subparagraphs; allow facilities to change operation to treat or store if:	†39	270.42(p)					
major permit modification is requested;	†39	270.42(p)(1)					
demonstrates necessity to comply with 268 or RCRA 3004; and	†39	270.42(p)(2)					
ensures compliance pending administrative determination	†39	270.42(p)(3)					

APPENDIX I TO SECTION 270.42

44 CLASSIFICATION OF PERMIT MODIFICATION

45,46	add new item involving F039 under "General Facility Standards"; add a footnote symbol to the Class I designation at B(1)(b)	78,83	270.42 Appendix I, B(1)(b)				
45	redesignate old B(1)(b) as B(1)(c)	78	270.42 Appendix I, B(1)(c)				

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART G - INTERIM STATUS

CHANGES DURING INTERIM STATUS

47	no reconstruction; changes do not include tank/container changes to comply with land disposal restrictions	39	270.72(e)				
----	--	----	-----------	--	--	--	--

- 1 See the amendment to the rule addressed by Revision Checklist 39 at 52 FR 41295 (October 27, 1987), included on Revision Checklist 39.
- 2 Paragraph 260.11(a) is also affected by Revision Checklist 67 (54 FR 40260, September 29, 1989) and Revision Checklist 73 (55 FR 8948, March 9, 1990).
- 3 Paragraph 261.5(f)(2) is also affected by Revision Checklist 47 (53 FR 27162, July 19, 1988).
- 4 Note that the "TC Rule," Revision Checklist 74 (55 FR 11798, March 29, 1990), has also made changes to 261.24(b).
- 5 Paragraph 261.33(c) is also affected by Revision Checklist 41 (52 FR 26012, July 10, 1987).
- 6 Note that the final rule for Revision Checklist 39 (52 FR 25787) gives Subpart E, 262.51 as the citation for the section titled "Farmers." This is not correct as the August 8, 1986 (51 FR 28664, Revision Checklist 31) final rule regarding exports changed this section and moved it to Subpart G, 262.70. This error in the final rule was detected when Revision Checklist 39 was developed, and the proper citation (262.70) was used on that checklist. This error was ultimately corrected at 53 FR 27164 (July 19, 1988; Revision Checklist 48).
- 7 See the technical correction to the rule addressed by Revision Checklist 34 at 52 FR 21010 (June 4, 1987).
- 8 Subparagraphs 264.13(a)(1) and 265.13(a)(1) are also affected by Revision Checklist 64 (54 FR 33376, August 14, 1989).
- 9 This code is part of the optional requirements for the alternate treatment standards for lab packs under the Third Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(8), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268) related to these alternate treatment standards must be adopted.

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

- 10 A new subparagraph was introduced into the code by Revision Checklist 78. The original subparagraph 268.1(c)(3) was introduced by Revision Checklist 34, modified by Checklist 39, then removed by Revision Checklist 50, with 268.1(c)(4) redesignated as (c)(3). The redesignated subparagraph 268.1(c)(3) was subsequently removed by Revision Checklist 66.
- 11 Subparagraph 268.1(c)(4) originated in Revision Checklist 34, was modified by Revision Checklist 39, redesignated as 268.1(c)(3) while the original 268.1(c)(5) was redesignated as 268.1(c)(4) by Revision Checklist 50, and finally removed by Revision Checklist 66.
- 12 Subparagraph 268.1(c)(5) originated in Revision Checklist 39, and was revised by Revision Checklist 48. This text was redesignated as 268.1(c)(4), and new 268.1(c)(5) text was introduced by Revision Checklist 50. This subparagraph was finally removed by Revision Checklist 78.
- 13 These definitions were introduced into the code as part of 268.2(a) by Revision Checklist 34. Revision Checklist 78 designated them as individual paragraphs 268.2(b) and (c). The text of the old 268.2(b), introduced into the code by Revision Checklist 34, was deleted from the section by Revision Checklist 78.
- 14 This definition was introduced into the code as part of 268.2(a) by Revision Checklist 39. Revision Checklist 78 designated it as an individual paragraph 268.2(e).
- 15 This subparagraph was originally 268.3 when it was added to the code by Revision Checklist 34. However, it was redesignated as 268.3(a) by Revision Checklist 78.
- 16 268.6(c) was originally introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(c) as 268.6(d) and inserted a new 268.6(c).
- 17 The original 268.6(d) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that paragraph as 268.6(g). That same checklist redesignated 268.6(c) as 268.6(d).
- 18 268.6(e) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(e) as 268.6(h) and inserted a new 268.6(e).
- 19 268.6(f) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(f) as 268.6(i) and inserted a new 268.6(f).
- 20 268.6(d)-(j) were originally introduced by Revision Checklist 34. Revision Checklist 50 redesignated these paragraphs as 268.6(g)-(m).
- 21 268.6(k) was originally introduced by Revision Checklist 39. Revision Checklist 50 redesignated it as 268.6(n).
- 22 Note that the rule addressed by Revision Checklist 78 (55 FR 22520) makes it appear as if 268.7(a)(3)(iii)-(v) were removed (see page 22687). This was an error and these subparagraphs should remain in the code.

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

- 23 Initially, subparagraphs 268.7(a)(4)(i)-(iv) were introduced into the code by Revision Checklist 50. Revision Checklist 78 completely changed the text of (a)(4)(i)-(iii) and removed (a)(4)(iv).
- 24 This subparagraph was originally 268.7(a)(4) when it was added to the code by Revision Checklist 34. However, it was redesignated as 268.7(a)(5) by Revision Checklist 50.
- 25 268.7(a)(7) was originally 268.7(a)(6) on Revision Checklist 50. Revision Checklist 83 inserted a new 268.7(a)(6) and redesignated the old 268.7(a)(6) as 268.7(a)(7). Revision Checklist 83 also redesignated 268.7(a)(7)-(a)(9) as 268.7(a)(8)-(a)(10).
- 26 These subparagraphs were originally 268.7(b)(1) and 268.7(b)(1)(i)-(iv) when they were added to the code by Revision Checklist 34. However, they were redesignated as 268.7(b)(4) and 268.7(b)(4)(i)-(iv) by Revision Checklist 50.
- 27 These subparagraphs were originally 268.7(b)(2) and 268.7(b)(2)(i)-(ii) when they were added to the code by Revision Checklist 34. However, they were redesignated as 268.7(b)(5) and 268.7(b)(5)(i)-(ii) by Revision Checklist 50.
- 28 This paragraph was originally 268.7(b)(8) when it was entered into the code by Revision Checklist 50, but it was redesignated as 268.7(b)(7) by Revision Checklist 78 because the old 268.7(b)(7) and 268.7(b)(7)(i)-(iv) were removed by Revision Checklist 78. Revision Checklist 66 corrected 268.7(b)(8) before it was redesignated by Revision Checklist 78.
- 29 The notice, certification and test requirements currently found in Federal code at 268.7(c)(1) and (c)(2) were originally addressed in paragraph 268.7(c), as introduced into the code by Revision Checklist 34. 268.7(c) was subsequently modified by Revision Checklists 39 and 50. Revision Checklist 39 added the testing requirements now found at 268.7(c)(2), although at the time, these requirements were still part of 268.7(c). It was Revision Checklist 50 that significantly revised the paragraph so that the notice and certification requirements now appear at (c)(1) and the testing requirements appear at (c)(2). The checklist reference column, then, includes all relevant checklists for 268.7(c)(1) and (c)(2), rather than just Revision Checklist 50 which primarily affected the formatting changes.
- 30 Subparagraphs 268.7(c)(3) and (c)(4), introduced into the code by Revision Checklists 50 and 66, respectively, were removed from the code by Revision Checklist 78.
- 31 An error in the September 6, 1989 rule (54 FR 36967) makes it appear that the revisions to 268.8(a) include the removal of 268.8(a)(4). This was not the Agency's intent and 268.8(a)(4) remains in Federal code as introduced by Revision Checklist 50.
- 32 The 268.30(a) introduction appeared in the final rule addressed by Revision Checklist 50, but was not changed by that rule. See Revision Checklist 50 for more information.

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

- 33 These subparagraphs were originally 268.30(c) and 268.30(c)(1)-(3) when they were introduced into the code by Revision Checklist 34. However, Revision Checklist 50 redesignated them as 268.30(d) and 268.30(d)(1)-(3) because that checklist inserted a new paragraph at 268.30(c).

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

- 34 These subparagraphs were originally 268.31(b) and 268.31(b)(1)-(3) when they were introduced into the code by Revision Checklist 34. However, Revision Checklist 50 redesignated them as 268.31(d) and 268.31(d)(1)-(3) because that checklist inserted a new paragraph at 268.31(b).
- 35 While this subparagraph appeared in the final rule addressed by Revision Checklist 50, this rule did not change this subparagraph. See Footnote 9, page 28 of Revision Checklist 50.
- 36 Note that there are typographical errors in the Federal Register addressed by Revision Checklist 102. The change from K031 to D031 appears to be incorrect; "D031" should be "K031." There will be a technical correction in the future. Also, after "Appendix I of this part" in column 2 of page 57 FR 8089 for 268.41(a), "for the allowable" appears to have been incorrectly changed to "of the allowable."
- 37 268.42(a)(3) was introduced into the code by Revision Checklist 63. Revision Checklist 78 removed this paragraph and Revision Checklist 83 added a new 268.42(a)(3).
- 38 268.42(a)(4) was introduced into the code by Revision Checklist 63. Revision Checklist 78 removed this paragraph.
- 39 The 55 FR 22520, June 1, 1990, code incorrectly states that a subparagraph 268.42(e) is added. The Federal Register did not contain a 268.42(e); it only added 268.42(c) and (d).
- 40 While 268.43(b) appeared in the final rule addressed by Revision Checklist 63, the text of the paragraph was not changed and remains the same as that introduced by Revision Checklist 50.
- 41 Note that 268.44(o) and a table listing wastes excluded from the treatment standards under 268.43(a) were added to the CFR by 56 FR 12351, a notice granting treatability variance for facilities located in Chicago, Illinois. Due to the topic, no checklist was necessary for this notice. As such, this paragraph and table were not included in this consolidated checklist as States would likely not want to include it in their code, unless treatability variance was granted to a facility in that State.
- 42 As background, the TCLP was originally promulgated in 268, Appendix I, on November 7, 1986 (51 FR 40572; Revision Checklist 34) for use in the Land Disposal Restrictions (LDR) program to determine whether certain wastes require treatment prior to land disposal and to determine whether certain treated wastes meet the applicable treatment standards. The TC rule and its June 29, 1990 modification promulgated a revised TCLP at 261, Appendix II, with modifications based on the Agency's own research and public comment. This TCLP is to be used in both the TC and the LDR programs. The objective of the above footnoted revision to 268, Appendix I, is to assure that the TCLP entered into the code by the November 7, 1986 notice (51 FR 40572; Revision Checklist 34) is removed and replaced by the TCLP entered into the code and amended by the final rules (55 FR 11798 and 55 FR 26986) addressed by Revision Checklist 74. The actual placement of the TCLP within a State's code is not that important, per se; what is important is that a State's code contains only the Revision Checklist 74 TCLP.

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)

- 43 Revision Checklist 54 revised the section heading, which previously read "Minor Modification of Permits," to read "Permit Modification at the Request of the Permittee." This was an optional change; therefore a State may have the old section title if it elected not to adopt the Checklist 54 changes. States should also note that 270.42 was not required by 271.14 to be part of a State's authorized permit program. Thus, only States which elected to have a section analogous to 270.42 at the time of base program authorization need worry about the 270.42 modifications made to this section by Revision Checklists 34, 39 and 54. Revision Checklist 54 removed portions of the code added by Revision Checklists 34 and 39, i.e., 270.42(o) and 270.42(p) and their subparagraphs. However, these sections have been retained in this Consolidated LDR Checklist because the Revision Checklist 54 deletions were optional. The various scenarios for changes to this section are as follows:
- If the State did not include an analog to 270.42 in its base program, all entries for 270.42 shown in this Consolidated LDR Checklist should be disregarded.
 - If the State included an analog to 270.42 in its base program and chose to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the entries on this Consolidated LDR Checklist for 270.42(o) and (p) and their respective subparagraphs should be disregarded (such code will have been deleted); and the new section title should be used.
 - If the State included an analog to 270.42 in its base program, but chose not to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the State should have analogs to 270.42(o) and (p) and their respective subparagraphs as shown on this Consolidated LDR Checklist; and the old section title may be retained.
- 44 Appendix I was introduced by Revision Checklist 54 as an optional modification to Section 270.42. Changes to this appendix addressed by Revision Checklist 78 and 83 are relevant only if a State has modified its code to include Appendix I as per Revision Checklist 54.
- 45 Revision Checklist 78 redesignated item B(1)(b) as item B(1)(c) and added a new B(1)(b).
- 46 Revision Checklist 83 added the footnote symbol to the Class I designation at B(1)(b). Note that both the 1991 and 1992 CFRs have two occurrences of item B(1)(b). The first occurrence (as revised by Revision Checklist 83) is the correct version. The second occurrence of item B(1)(b) is the one added by Revision Checklist 78 (without the Revision Checklist 83 change) and which was eventually removed by Revision Checklist 124.
- 47 Revision Checklist 61 revised and redesignated 270.72(e) as 270.72(b). The Revision Checklist 61 changes are optional, however; therefore, some States may have retained 270.72(e) in their code as introduced by the LDR Revision Checklist 39.

SPECIAL CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1992 (cont'd)